

## **REMARKS/ARGUMENTS**

Claims 1-3, 5-11 and 13-16 are pending and are rejected.

Applicant has amended claim 10 to correct a typographical error. This amendment, as suggested by Examiner during the telephone interview with applicant's undersigned representative on November 3, 2003, presents the rejected claims in better form for consideration on appeal under 37 C.F.R. § 1.116(b). Applicant respectfully asserts that the amendment does not introduce new matter as is supported in the original application as filed and respectfully requests reconsideration of the Examiner's rejection of independent claim 10 and dependent claims 11 and 13, retaining the Examiner's paragraph designations for convenience.

Applicant has also filed an Appeal Brief with this Amendment.

## **CLAIM REJECTIONS UNDER 35 U.S.C. § 112**

Claims 10, 11, and 13 are rejected under 35 U.S.C. § 112 ¶ 2 as indefinite.

7 and 8. Applicant amended claim 10 to recite the step of "administering said dose producing said optimal response as a maintenance dose" to correct a printer error of the clean copy in the Amendment dated September 23, 2002. The Examiner has indicated that the marked copy of the Amendment did recite this step for claim 10. This Amendment simply reconciles the marked copy with the clean copy.

Applicant thus believes the amendment and explanations fully overcome the rejection of independent claim 10 and dependent claims 11 and 13 under 35 U.S.C. § 112 ¶ 2, and request its withdrawal.

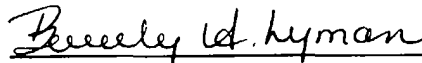
**CONCLUSION**

Applicant believes no fees are due.

The Examiner is invited to contact the undersigned attorney if there are any questions or issues.

Respectfully submitted,

WOOD, HERRON & EVANS L.L.P.

A handwritten signature in cursive script, reading "Beverly A. Lyman", is written over a horizontal line.

Beverly A. Lyman, Ph.D.

Reg. No. 41,961

2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202  
513-241-2324  
513-421-7269 (facsimile)